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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/539,078

06/15/2005

Cino Robin Castelli

5002-1075

9232

466

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04/04/2008

YOUNG & THOMPSON

209 Madison Street

Suite 500

ALEXANDRIA, VA 22314

EXAMINER

HENN, TIMOTHY J

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

04/04/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/539,078	<b>Applicant(s)</b> CASTELLI, CINO ROBIN	
	<b>Examiner</b> Timothy J. Henn	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US 6,831,699) in view of Pearl, deceased et al. (US 3,993,866) in view of Montgomery (US 3,915,491).

#### **[claim 1]**

Regarding claim 1, Chang discloses equipment for acquiring and transmitting images and/or sounds (Figure 2A; c. 4, ll. 19-29; c. 6, ll. 47-52), characterized in that it is fitted inside a protective housing (Figure 2A, Item 110) consisting of a base plate with a substantially flat external surface (Figure 2A, Item 125) and a cover (Figure 2A, Item 110, portion above dashed line) which is laid on top of and parallel to the base plate (Figure 2A, note that section directly above dashed line is parallel to base plate 125). The housing contains equipment inside it (Figure 2A), the weight of the combination of the equipment and the base plate on which it is fixed being greater than that of the cover (Figure 1, Item 150; c. 3, ll. 33-40). However Chang does not disclose a hinge portion connecting the base plate and the cover so that the cover is rotatable with respect to the base plate.

Pearl discloses a similar camera (Figure 2) which includes a hinged cover section (Figure 1, Item 26, Figure 2, Item 33) which allows access to the interior section of the camera for maintenance and adjustment (c. 3, l. 66 - c. 4, l. 7; c. 4, ll. 31-44). Therefore, it would be obvious to make the cover section of Chang with a hinge section as disclosed by Pearl so that the interior equipment can be adjusted and maintained. While Pearl does not explicitly disclose that the cover is rotatable by 90 degrees or more, Official Notice is taken that it is well known in the art to provide hinges which open to more than 90 degrees so that the cover member can be opened wide enough that it does not interfere with maintenance of the camera. Therefore, it would be obvious to make the hinge member of Chang in view of Pearl rotate to an angle greater than 90 degrees so that access to the interior components is not inhibited and maintenance and adjustment can be performed easily. However, while Chang discloses operating the device remotely (c. 5, l. 51 - c. 6, l. 15), Chang in view of Pearl does not disclose remotely releasing a connecting means and an elastic means as claimed.

Montgomery discloses a cover mechanism which includes a remotely operable opening device and an elastic member (i.e. spring) which causes a relative rotation between a base and the cover when the remotely operable opening device is operated (Figures 1-3; c. 3, ll. 37-53). Montgomery discloses that the disclosed device prevents unauthorized access to the equipment under the cover since the latch which holds the cover closed is inaccessible from outside the cover (c. 1, ll. 18-27). Therefore, it would have been obvious to use a latching mechanism as disclosed by Montgomery to allow

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access to the interior section of Chang in view of Pearl while preventing unauthorized access.

**[claim 2]**

Regarding claim 2, Chang discloses remotely controllable means for rotating the equipment with respect to the base plate (Figure 3; c. 7, ll. 11-44).

**[claim 4]**

Regarding claim 4, Chang discloses illumination means oriented towards the exterior (c. 6, ll. 16-46).

**[claim 5]**

Regarding claim 5, Chang discloses elements capable of operating even when they are in contact with a liquid (c. 4, ll. 9-18; c. 4, ll. 38-41).

**[claim 6]**

Regarding claim 6, Chang discloses an impact resistant housing (c. 4, ll. 9-18).

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US 6,831,699) in view of Pearl, deceased et al. (US 3,993,866) in view of Montgomery (US 3,915,491) in view of Ito et al. (US 2002/0171742).

**[claim 3]**

Regarding claim 3, Chang discloses a rotating means which is battery operated (c. 5, ll. 45-48), but does not disclose a rotation speed of approximately 6 revolutions per second.

Ito discloses a panning mechanism for a camera (Figure 4) and discloses that it is desirable to allow for variable pan speeds so that the operator is not locked into a fixed pan speed (Paragraphs 0017-0020). Ito further discloses setting pan speeds to values between, for example, 0-40 degrees/second (i.e. 0 - 6.7 revolutions per minute). Therefore it would be obvious to use pan control as taught by Ito so that an operator can freely set a pan speed as is necessary for the scene being viewed.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

i.	Narendra et al.	US 5,339,281
ii.	Nieves	US 6,924,838
iii.	Tanaka	US 5,382,943
iv.	Kearns et al.	US 3,962,537
v.	Schroth	US 2004/0066451

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571)272-7310. The examiner can normally be reached on M-F 11-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Timothy J Henn/  
Examiner, Art Unit 2622  
3/28/2008